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COMMISSION ON HUMAN RIGHTS
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Agenda item 6

CONTEMPORARY FORMS OF SLAVERY

Mr. Bossuyt, Mr. El-Hajjé, Mr. Guissé, Mrs. Gwanmesia, Mr. Maxim
Ms. Warzazi and Mr. Yimer: draft resolution

1997/.. Report of the Working Group on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its twenty-second session (E/CN.4/Sub.2/1997/13) and in particular the recommendations contained in chapter VI,

Deeply concerned at the information it contains relating to child and bonded labour, sexual exploitation, in particular of children, the traffic in persons, migrant and domestic workers and sexual slavery during wartime,

Noting that the status of ratification of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 is still unsatisfactory,

Considering the necessity of promoting the implementation of international norms and standards on trafficking in persons and exploitation of the prostitution of others, and of strengthening the mechanism of implementation of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work and in particular for its continued broad approach and flexible methods of work;

2. Recommends once again that the General Assembly consider proclaiming 2 December as the day for the abolition of slavery in all its forms;

I. PREVENTION OF TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS

3. Welcomes the outcome of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996;

4. Recalls the adoption by the Commission on Human Rights of the Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1);

5. Requests the Secretary-General to invite all States to report periodically to the Sub-Commission on measures adopted to implement the Programme of Action and on the efficacy of such measures;

6. Recommends that Governments prohibit the advertising or publicizing of sex tourism and that they do not facilitate other commercial activities involving sexual exploitation;

7. Encourages Governments, in cooperation with the World Health Organization and the Joint United Nations Programme on HIV/AIDS, to establish specific projects for the protection of the victims of traffic in persons and of prostitution from the risk of infection with HIV and the spread of AIDS;

8. Recommends that States take urgent measures, including measures of criminal law and of cooperation with other States, designed to protect minors from exposure to or involvement in pornography and requests the Secretary-General to invite States to provide information on measures taken or already applicable;

9. Invites the Secretary-General, in cooperation with the International Telecommunication Union, to continue to examine the adverse effect on children of new technologies, such as the Internet, that are used to promote, inter alia, child pornography and sex tourism;

10. Recommends that national institutions for the prevention of prostitution be established in all States in order to assist in the rehabilitation and reintegration of victims of prostitution;

11. Welcomes the positive measures taken by the World Tourism Organization and professionals in the field of tourism to combat sex tourism, and encourages the reinforcement of such activities;

II. SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

A. Special Rapporteur on the sale of children, child prostitution and child pornography

12. Takes note of the information on these problems submitted by the Special Rapporteur in her report to the Commission on Human Rights (E/CN.4/1997/95 and Add.1-2);

13. Also takes note of the information on these problems submitted by the participants at the twenty-second session of the Working Group and requests the High Commissioner/Centre for Human Rights to transmit the information to the Special Rapporteur, along with the recommendations relating to her mandate;

14. Requests the Special Rapporteur, within the framework of her mandate, to continue to pay attention to issues relating to the traffic in children, such as organ transplantation, disappearances, the purchase and sale of children, adoption for commercial purposes or exploitation, child prostitution and child pornography;

15. Strongly encourages the Special Rapporteur to participate in the twenty-third session of the Working Group, in view of the importance of her contribution to its deliberations;

B. Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography

16. Encourages the Working Group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography to continue its work in elaborating a draft optional protocol, and calls upon the Working Group to outline a framework for

international cooperation to bring to an end all practices relating to the sexual exploitation of children, including child sex tourism;

17. Requests the Secretary-General to invite all States to continue to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography;

18. Encourages all Governments to consider, in the context of the Programme of Action, the creation of programmes aimed at the social rehabilitation of all victims of trafficking, prostitution and pornography, in particular children, and requests international cooperation for establishing and implementing such programmes;

C. Commercial sexual exploitation of children

19. Welcomes the dissemination of the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children;

20. Calls upon all States to muster the political will to give priority to this issue and to initiate through national debate and an intersectoral dialogue a process which moves from deploring the issue to the urgent adoption of a national agenda for action that includes the gathering of gender-disaggregated data, indicators of progress, setting goals, a time-frame for its implementation and national monitoring mechanisms;

21. Calls for increased cooperation between and concrete action-oriented measures by States and international organizations;

D. Traffic in human organs and tissues

22. Notes the information submitted by the Secretary-General to the Commission on Human Rights in accordance with Commission resolution 1996/61 of 23 April 1996, in which the Commission requested the Secretary-General to examine, in cooperation with relevant United Nations agencies, in particular the World Health Organization and all relevant non-governmental organizations, the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes in order to enable the Commission to decide upon possible follow-up to this matter (E/CN.4/1997/78);

23. Welcomes the adoption by the Commission on Human Rights of resolution 1997/20 of 11 April 1997, in which the Commission requested the Secretary-General to continue the examination of the reliability of allegations regarding the removal of organs and tissues of children and adults

for commercial purposes and to include an analysis of this question in an updated report to be submitted to the Commission at its fifty-fifth session, in order to enable the Commission to decide whether continued attention to this question is required;

24. Encourages the World Health Organization to continue to pay special attention to this issue, welcomes once again the recommendation of the World Health Organization Advisory Committee on Health Research to set up a task force on organ transplantation, and notes the report of its first meeting held in Annecy, France, on 10 and 11 October 1996;

III. ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

25. Urges all States, while attempting ultimately to eliminate the phenomenon of child labour, to adopt measures and regulations to protect child labourers, to ensure that their labour is not exploited and to prohibit their labour in hazardous occupations;

26. Urges States that have not yet done so to ratify the relevant International Labour Organization conventions, in particular the Forced Labour Convention, 1930 (No. 29) and the Convention on the Minimum Age for Admission to Employment, 1973 (No. 138);

27. Calls for international cooperation in order to assist the States concerned in their struggle against bonded labour;

28. Requests the Secretary-General to invite all States to inform the Working Group of measures adopted to implement the Programme of Action for the Elimination of the Exploitation of Child Labour and to report to the Sub-Commission and the Commission at their next sessions;

IV. ERADICATION OF BONDED LABOUR

29. Takes note with satisfaction of the promulgation by certain States of laws against bonded labour, and appeals to their Governments to adopt all necessary measures to ensure the full implementation of such laws;

30. Requests the specialized agencies, in particular the international financial institutions and the development agencies of the United Nations, to ensure that the projects they support do not, in any way, use bonded labour;

31. Recommends that Governments cooperate with trade unions and employers' organizations at the national level to address the problem of bonded labour and that trade unions and employers' organizations at the local, national and international levels utilize the existing structures of the International Labour Organization dealing with violations of the relevant

conventions concerning forced labour, and encourages concerned non-governmental organizations to strengthen their activities for disseminating information and advising trade unions in this regard;

V. FORCED LABOUR

32. Reaffirms once again that forced labour is a contemporary form of slavery;

33. Decides to continue to give consideration to this issue at its next session;

VI. MIGRANT WORKERS

34. Decides to give priority to the consideration of the question of domestic and migrant workers at its next sessions;

35. Also decides to continue to give particular attention to the situation of girl children domestic workers, and urges Governments to ensure that protective regulations govern their employment situation and provide for safe conditions of work;

36. Notes the difficult situation in which girl children are living and the need for them to be provided with protection with a view to their fullest human development and participation in the life of their community being ensured;

37. Urges States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

38. Also urges States to take the necessary measures to prohibit and sanction the confiscation of passports belonging to migrant workers, in particular, migrant domestic workers;

39. Strongly condemns practices of unequal treatment of migrant workers and the denial of their human dignity;

40. Welcomes Commission on Human Rights resolution 1997/15 of 3 April 1997 in which the Commission decided to establish a working group consisting of five intergovernmental experts on human rights and migrants;

41. Also welcomes the conclusions and recommendations of the United Nations seminar on immigration, racism and racial discrimination held in Geneva from 5 to 9 May 1997, and requests the Secretary-General to disseminate them widely;

42. Recommends that non-governmental organizations give attention to the grave problems affecting migrant workers and provide the Working Group with information in this regard;

VII. ILLEGAL AND PSEUDO-LEGAL ADOPTIONS AIMING AT THE EXPLOITATION OF CHILDREN

43. Takes note of the information received concerning cases of children adopted for commercial purposes and any other form of traffic;

44. Urges States to take adequate steps to regulate and monitor intercountry adoptions better, in particular by ratifying the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993;

45. Decides to continue to give consideration to this issue at its next session;

VIII. ELIMINATION OF VIOLENCE AGAINST WOMEN

A. Violence against women

46. Decides to give more priority to exploring preventive measures for the elimination of violence against women, in particular in situations of armed conflict;

47. Welcomes the work of the Special Rapporteur on violence against women and notes her report (E/CN.4/1997/47 and Add.1-4);

48. Invites Governments, intergovernmental organizations and non-governmental organizations to disseminate widely the report of the Special Rapporteur and to implement the recommendations contained therein;

49. Decides to pay special attention to the next report of the Special Rapporteur, which will focus on violence against women during armed conflict;

50. Decides to transmit the information received concerning the sexual exploitation of women and other forms of forced labour during wartime to the Special Rapporteur on violence against women and the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict;

51. Requests the Secretary-General to transmit the final report to be prepared by the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict to the Working Group at its next session;

52. Invites the Special Rapporteur on violence against women and the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict to participate in the twenty-third session of the Working Group;

B. Sexual slavery during wartime, in particular during the Second World War

53. Takes note of the information provided by the Government of Japan, as well as by other parties concerned, with regard to actions in relation to the issue of women sex slaves during the Second World War, recognizing the positive steps made so far towards the solution to this issue;

54. Encourages further efforts towards a constructive dialogue;

55. Invites the Government of Japan to continue to cooperate with the United Nations and the specialized agencies in this matter;

56. Decides to continue to consider this issue at its next session;

IX. MISCELLANEOUS

57. Decides to biennialize the consideration of the issues of incest and early marriage, including the consideration of ways to combat incest and sexual abuse of children inside the family and the urgent need for adequate help to be offered to victims of such practices;

58. Urges Governments to make confidential facilities available for children to make disclosure of the situation and to obtain advice and assistance;

59. Urges Member States to take adequate steps to punish severely the perpetrators of this most heinous offence;

60. Requests the Secretary-General to seek the views and suggestions of Member States and of intergovernmental and non-governmental organizations on proposals for the future action of the Working Group with a view to its considering their replies at its forthcoming sessions;

61. Appeals to all Governments to send representatives to the meetings of the Working Group;

62. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

63. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child,

when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and to include in their guidelines an item concerning contemporary forms of slavery;

64. Recommends that the supervisory bodies of the International Labour Organization and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

65. Requests the Secretary-General to transmit to the committees mentioned above, the special rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances the recommendations of relevance to them and the report of the Working Group;

66. Welcomes again the adoption by the Commission on Human Rights of resolution 1996/61 of 23 April 1996, in which the Commission requested the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Centre for Human Rights on issues relating to contemporary forms of slavery;

67. Again requests the Secretary-General to designate the High Commissioner/Centre for Human Rights as the focal point for the coordination of activities and the dissemination of information within the United Nations system for the suppression of contemporary forms of slavery;

68. Notes that the Economic and Social Council, in its resolution 1993/48 of 28 July 1993, approved the endorsement by the Commission

on Human Rights of the recommendation made by the Sub-Commission in its resolution 1992/2 of 14 August 1992 that the arrangements regarding the organization of the sessions of the Working Group on Contemporary Forms of Slavery, as contained in Commission decision 1992/115 of 3 March 1992, be repeated in subsequent years;

69. Decides, in arranging its agenda, to make provision for adequate discussion of the report of the Working Group near the commencement of each session, thereby strengthening its involvement in the activities of the Working Group.